

Exhibit 17

SECOND DECLARATION OF KIMBERLY CRAWLEY

COMES NOW, Kimberly Crawley and pursuant to 28 U.S.C. § 1746, declares under penalty of perjury that the following is true and correct:

1. My name is Kimberly Crawley, and I am over 18 years old. I have personal knowledge of the facts as stated herein.
2. This declaration is submitted to supplement my initial declaration, ECF 5-8.
3. I am the parent of I.C., who is thirteen years old and is in sixth grade at Trailside Middle School, which is part of Loudoun County Public Schools. I.C. has been diagnosed with a medical respiratory disability that makes him severely prone to infections. I.C. has had thirty-five surgeries; about ten to twelve of those surgeries on his right side affected his right lung. His right lung is approximately half the size of his left lung. These conditions substantially limit his major life activities, such as breathing and the functions of the respiratory system.
4. These conditions put I.C. at a higher risk for severe complications if he were to become infected with COVID-19. I.C. is at a heightened risk from COVID-19 even after being vaccinated and boosted.
5. On Wednesday, February 16, 2022, Loudoun County Public Schools sent an email about the passage of Senate Bill 739. The email informed families that they could opt out of the mask requirement starting February 22, but encouraged the use of masks while transmission rates remain high. *See Exhibit A (Email from LCPS).*
6. Later that day on February 16, 2022, Loudoun County Public School sent an email about the Loudoun County Circuit Court ruling in *Barnett v. Loudoun* stating that masks are

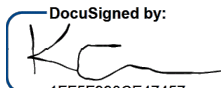
optional in Loudoun County Public Schools starting Thursday, February 17th, 2022. *See* Exhibit B (Email from LCPS).

7. As a result, on Wednesday, February 16, 2022, I emailed Trailside Middle School administration requesting that I.C. learn in a classroom where all of the other students are masked, or, if that isn't possible, for I.C. to have special seating in the classroom that is distanced from anyone who is not wearing a mask. *See* Exhibit C (Requests for Modification and School Response). Trailside Middle School has offered to have I.C. learn at the teacher's desk that is distanced from the other students and for teachers to rework their seating charts. *See* Exhibit C.
8. I am assessing whether it is safe to send I.C. to school on a daily basis with these modifications in place.
9. Loudoun County Public School's change in mask policy in response to SB 739 and *Barnett v. Loudoun* has caused I.C. and our family to have anxiety about returning to in-person learning and staying healthy. I.C. in particular, has had anxiety attacks at school worrying about his proximity to other students. Our constant monitoring of transmission rates, masking, and social distancing has interrupted I.C.'s education and my ability to work.
10. I have been forced to choose between I.C.'s education and his health.
11. I am seeking to have Executive Order 2 and Senate Bill 739 blocked, so that my school will be able to require masking as necessary to meet its obligations to my child.

I swear under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Dated this 22nd day of February, 2022 at Ashburn, Virginia.

DocuSigned by:



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Kimberly Crawley

Date: 2/22/2022